

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

INTERNATIONAL REHABILITATIVE
SCIENCES INC., d/b/a RS MEDICAL,
AS ASSIGNEE OF ANDERSON,
CHARLES, et al.,

Plaintiffs,

v.

DECISION AND ORDER
12-CV-1225-A

GOVERNMENT EMPLOYEES
INSURANCE COMPANY,

Defendant.

The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1) for conduct of pretrial proceedings. On August 5, 2014, Magistrate Judge Scott filed a Report and Recommendation (Dkt. No. 65), recommending that defendant's motion to dismiss (Dkt. No. 37) should be granted, and defendant directed to file an answer to the remaining claims in the complaint.

The Court has carefully reviewed the Report and Recommendation, objections, and the pleadings and materials in the case, and it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation (Dkt. No. 65), defendant's motion to dismiss (Dkt. No 37) is granted and the defendant is directed to file an answer to the remaining claims in the complaint.

The case is recommitted to Magistrate Judge Scott for further proceedings pursuant to the Court's earlier referral (Dkt. No. 27)

SO ORDERED.

Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: November 7, 2014